

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Mario MOJARRO  
a/k/a Mario GONZALEZ  
MOJARRO-Gonzalez, Mario

Case No.

2:22-mj-752

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 18, 2022 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

8 U.S.C. 1326(a) and (b)(1)

Offense Description

Illegal reentry of an alien removed subsequent to a felony conviction

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

VIA FIVE-TIME

Date:

11/20/2022

City and state:

Columbus, OH

John Wissel  
Complainant's signature

John Wissel, Deportation Officer

Printed name and title



Elizabeth A. Preston Deavers,  
U.S. Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN THE MATTER OF THE  
CRIMINAL COMPLAINT OF:

Mario MOJARRO  
a/k/a Mario GONZALEZ; Mario  
MOJARRO-Gonzalez

Case No.

2:22-mj-752

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

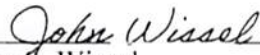
I, United States Immigration and Customs Enforcement (ICE) Deportation Officer John S. Wissel, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than fourteen years of experience as an Immigration Agent with United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, OH, Office of Enforcement and Removals. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Artesia, New Mexico.
2. During the course of investigating Mario MOJARRO (A205 114 457), I have learned the following facts:
3. MOJARRO is a citizen and national of Mexico with no claim to United States citizenship.
4. On November 8, 2012, in the Delaware County Court of Common Pleas, MOJARRO plead guilty to the crime of Complicity to Trafficking Heroin with Forfeiture Specifications, as set for in the Bill of Information, in violation of 2923.02(A)(2) as it relates to Section 2925.02(A)(2) of the Ohio Revised Code., a Felony of the Fourth Degree. Case No. 12CR-I-10-0385.
5. On November 27, 2012, in the Delaware County Court of Common Pleas, the court imposed Residential Community Control Sanction of 180 days in the Delaware County Jail with credit for 168 days of jail time credit and Supervised release not to exceed three years. 12CR-I-10-0385.
6. On February 15, 2013, MOJARRO was issued a Stipulate Removal Order by an Immigration Judge in Cleveland, Ohio. On February 20, 2013, MOJARRO was physically removed from the United States to Mexico at the Laredo, TX, Port of

Entry. On that day, MOJARRO surrendered his fingerprint for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same day. MOJARRO's departure was witnessed by an Immigration Officer who documented the departure by way of signature on the Immigration Form I-205.

7. On October 3, 2013, MOJARRO was arrested by U.S. Border Patrol and was issued form I-871, Notice of Intent/Decision to Reinstate Prior Order of Removal. On October 4, 2013, MOJARRO was physically removed from the United States to Mexico at the San Ysidro, CA Port of Entry. On that day, MOJARRO surrendered his fingerprint for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same day. MOJARRO's departure was witnessed by an Immigration Officer who documented the departure by way of signature on the Immigration Form I-205.
8. On November 25, 2014, MOJARRO was arrested by U.S. Border Patrol and was issued form I-871, Notice of Intent/Decision to Reinstate Prior Order of Removal. On November 25, 2014, MOJARRO was physically removed from the United States to Mexico at the San Ysidro, CA Port of Entry. On that day, MOJARRO surrendered his fingerprint for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same day. MOJARRO's departure was witnessed by an Immigration Officer who documented the departure by way of signature on the Immigration Form I-205.
9. On December 8, 2018, the Franklin County Municipal Court issued a warrant for arrest for MOJARRO on a criminal complaint for Domestic Violence and Assault. Case No. 2018 CRB 024696.
10. On or about November 17, 2021, ICE placed a detainer on MOJARRO at the Franklin County Jail in Columbus, Ohio. On November 18, 2022, ICE Officers took custody of MOJARRO at the Franklin County Jail in Columbus, Ohio. MOJARRO was arrested on the warrant related to Case No. 2018 CRB 024696.
11. After a verification of fingerprints, ICE determined that MOJARRO had previously been ordered removed from the United States and is subject to prosecution for illegal re-entry, being found in the United States after being barred from reentering the United States for a period of 20 years from the date of his last departure from the United States because, after having been previously excluded, deported, or removed from the United States, you have been found: to have reentered the United States illegally and have the prior order reinstated under 241(a)(5) of the INA. Biometric and records checks confirmed that MOJARRO did not receive permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security for this reentry into the United States.
12. I submit that the foregoing facts to establish probable cause that MOJARRO has committed a violation of 8 U.S.C. § 1326 (a) & (b)(1) in that MOJARRO is an alien

who: is an alien, was found in Franklin County Ohio, after having been removed from the United States on or about the above dates, at or near the above locations, and whose removal was subsequent to a conviction for commission of three or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony), specifically Title 8, United States Code, Sections 1326 (a)(1) Reentry of removed aliens, in violation of Title 8, United States Code, Sections 1326 (b)(1).

  
John S. Wissel  
Deportation Officer  
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 20<sup>th</sup> day of November 2022.

  
HONORABLE Elizabeth A. Preston Deavers  
UNITED STATES MAGISTRATE JUDGE

